

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

9	TERESSA S. LAYTON,	)	
		)	No. CV-06-3080-MWL
10	Plaintiff,	)	
		)	ORDER GRANTING JOINT
11	v.	)	MOTION FOR REMAND
		)	
12	MICHAEL J. ASTRUE,	)	
	Commissioner of Social	)	
13	Security,	)	
		)	
14	<u>Defendant.</u>	)	

The parties have filed a stipulation for remand of the above captioned case to the Commissioner for further administrative proceedings. (Ct. Rec. 31). The parties have consented to proceed before a magistrate judge. (Ct. Rec. 7). After considering the stipulation,

**IT IS ORDERED** that the above-captioned case be remanded for a de novo hearing pursuant to sentence four of 42 U.S.C. § 405(g). Upon remand, the Administrative Law Judge ("ALJ") will:

(1) evaluate all lay witness statements of record and either credit the same, or provide reasons germane to the witness for discounting them; (2) re-evaluate the severity of Plaintiff's impairments and provide rationale for the specific limitations resulting from these impairments; (3) re-evaluate the assessments

1 of the claimant's treating and examining sources, including  
2 Dr. Khamisani, Dr. Kennedy, Dr. Robinson, and PA Jeffrey Van  
3 Troba; (4) reconsider the testimony of the claimant; (5) hold a  
4 supplemental hearing and take the testimony of a vocational expert  
5 unless a fully favorable on the record decision is issued; (6)  
6 make a new determination as to Plaintiff's disability taking all  
7 evidence into account; and (7) issue a new decision.

8 Accordingly, this Court hereby reverses the Commissioner's  
9 decision under sentence four of 42 U.S.C. § 405(g) with a remand  
10 of the cause to the Commissioner for further proceedings. See  
11 *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

12 **IT IS FURTHER ORDERED:**

13 1. The parties Joint Motion to Remand (**Ct. Rec. 31**) is  
14 **GRANTED**.

15 2. Judgment shall be entered for the **PLAINTIFF**.

16 3. An application for attorney fees may be filed by  
17 separate motion.

18 4. The District Court Executive is directed to enter this  
19 Order, forward copies to counsel, and thereafter shall **close** this  
20 file.

21 DATED this 18<sup>th</sup> day of May, 2007.

22  
23 S/ Michael W. Leavitt  
24 MICHAEL W. LEAVITT  
25 UNITED STATES MAGISTRATE JUDGE  
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